

NORFOLK, VIRGINIA
REGULAR SESSION OF COUNCIL
TUESDAY, FEBRUARY 10, 2015

President Fraim called the meeting to order at 5:15 p.m. with the following members present: Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, and Ms. Williams. Ms. Johnson and Mr. Winn were absent.

President Fraim called for a closed Session.

CLOSED SESSION

Motion for closed session was approved for purposes which are set out in **Clause (s) 3 and 7 of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act**, as amended:

- (3) Discussion regarding the disposition of publicly held real property in the Northampton Boulevard and Wesleyan Drive area and the acquisition of real property for public purpose in the area of Northampton Boulevard and Wesleyan Drive.
- (7) Consultation with legal counsel regarding two legal matters. Talbot Hall petition and the K-9 dog biting incident.

Yes: Protogyrou, Riddick, Smigiel, Whibley, Williams and Fraim.

No: None.

BRIEFING BY POLICE CHIEF ON BODY CAMERAS

Chief Michael Goldsmith reported as follows:

- 300 body cameras were deployed on Monday.
- Goal is to have cameras for all officers by 2016.
- Citizens will be notified they are being recorded and may be turned off inside private homes upon request.
- The expected results are a reduction in complaints, better interaction between officers and citizens, a reduction in litigation and provides transparency.
- The department is also working on a professional standards annual report for public distribution.

COUNCIL INTEREST

- In response to Mr. Robinson's comments concerning parolees, Councilman Protogyrou asked Mr. Robinson to give his solutions to the City Manager. In addition, he asked the City Manager to brief Council on what the city's outreach services will be for these citizens.

161 GRANBY STREET

Planning Director, George Homewood reported on this as follows:

- The building is in no danger of collapse.
- Scaffolding has been expected to address immediate exterior safety issues.
- The only building permit to date is for interior demolition; a six month extension was granted in November 2014.
- Permits for interior and exterior renovation and construction are pending.
- Mr. Prioneschi of USA Development was present to answer any questions.

GENERAL ASSEMBLY UPDATE

Mr. Pennington reported that they are at the halfway point of the 2015 session. Norfolk has been working in a larger state-wide coalition to advance several established priorities for the 2015 session.

He reported on various bills as follows:

STATEWIDE FLOODING ISSUES – Several bills have been advanced successfully, including a real estate transaction bill.

HB 1887 OMNIBUS TRANSPORTATION BILL – Norfolk pursued special legislation to give us the authority to apply unused urban allocation funds on the Military Highway intersection project which moved out of the Senate unanimously. This bill, if passed, would provide to Hampton Roads an additional \$7 million for state of good repair and construction district grants. It would also mean approximately \$40 million more for transit funding based on good performance from the previous year.

SCHOOL ISSUES – They are working in larger coalitions to hold the City of Norfolk and public schools harmless from additional cuts and to meaningfully enhance state public education and accreditation. Several bills have been advanced to accomplish those goals as well as amendments introduced by many members within our own delegation.

JOINT LEGISLATIVE AUTO REVIEW COMMITTEE – They had hoped that an update study would be done of transportation funding provisions, but that does not appear successful for this year. However, there have been discussions about a study to look at ways to subsidize the tolls on the Midtown and Downtown Tunnels.

HB 1402 – This bill appears to be advancing. They have asked the Commonwealth to provide some clarification regarding urban street maintenance payments. They want to make sure that there is no misunderstanding as far as trying to allocate portions of these roadways to be used for other purposes other than just motor vehicles.

They have also asked the Commonwealth to consider creating a bicycle and pedestrian construction and maintenance funding source, but it does not appear that will advance this year.

PRESERVING RED LIGHT CAMERA AUTHORITY – It appears that Norfolk will continue to have the authority to operate these cameras for an additional year.

Veterans Workforce integration and homelessness – There is an Omnibus package of veteran-related bills for different types of programs and Norfolk stands to be in good position to take full advantage of those different programs that will be coming online.

REGULATE PLASTIC RETAIL BAGS – Introduced by Senator McWaters, one bill remains in play. It is not known how this will fare in the House. Mr. Pennington encouraged that any citizens interested in this bill should reach out to House Members.

STRIKE FOR CODE OF VIRGINIA ANY REFERENCE TO THE OPPORTUNITY EDUCATION INSTITUTE - SB 821 passed the Senate.

ECONOMIC DEVELOPMENT – Both the House and Senate committees proposed amendments to reverse actions taken by Governor McAuliffe to impose higher fees for weights and measures as well as an increase in food inspection fees. Also, the Governor’s homelessness initiative dealing with rapid re-housing was defeated. Both the House and Senate committees eliminated \$1.2 million that the Governor proposed to support the Virginia Coal Field Economic Development Authority. The House Appropriations Committee supported the Governor’s request for an additional \$20.7 million for the Governor’s Opportunity Development funds. They have been successful with enterprise zones and grant programs and hopefully Norfolk will be able to take full advantage of these funding provisions if they are successful in the final session.

COMPENSATION AND RETIREMENT – The House budget sets up a contingency fund for a 2% salary increase for state-supported local employees and this is effective in August 2015. The Senate budget sets up a contingency for a 3% salary for state-supported local employees on September 1, 2015, which is two months into the fiscal year, and so that is something that is going to have to be worked out.

TEACHER SALARY INCREASE – Both the House and Senate set up contingency funds to pay for a 1.5% salary increase, and it also allowed school divisions the flexibility to determine their own effective date of the salary increase. The Governor proposed making a \$150 million payment on deferred contributions to the teacher retirement plans. If this is to move forward, it will actually lower their teacher retirement contribution rate for FY16.

ELECTIONS AND ADMINISTRATION – Both the House and Senate rejected the Governor’s amendment that would raise \$28 million through a revenue bond sale to pay for optical scan voting equipment. Legislative bills to “cost-push” some of the election expenses on to local governments were defeated. There is one bill still in play that they are watching closely.

HUMAN SERVICES – The Senate included \$77,409 to help the Office of Comprehensive Services comply with the Administrative Processes Act. SB 1054 has passed the Senate and is now on the way to House Appropriations.

MEDICAID EXPANSION – Both the House and the Senate have removed the language in the introduced budget that would expand the Medicaid Program pursuant to the Affordable Care Act. Instead, both bodies provide varying amounts of additional assistance for free clinic and community health centers. The Governor’s program remains intact that will help as many as 20,000 individuals with serious mental illness obtain healthcare safety net services. The House also created an alternative proposal that provides psychiatric services to approximately 30,000 individuals and prescription drug benefits for those individuals who might find themselves in psychiatric facilities.

STORMWATER – In response to our request for additional state assistance, only the Senate has approved a \$10 million bond revenue appropriation to assist. They do not see anything more being added to this amount by the House, but they will continue to pursue it as a priority initiative.

DEPUTY SHERIFF SALARY MANDATES – Both the House and the Senate included an additional \$2.5 million in the budgets to increase the jail per-diem rates.

JAIL CONSTRUCTION REIMBURSEMENT – They were unsuccessful in getting additional HB 599 funding. However, the Senate reinserted language from the 2014 budget to clarify that the amount distributed to the locality in both 2015 and 2016 shall be equal to the amount provided in 2014.

PUBLIC SAFETY BILL – This bill relates to conviction in General District Court for violating the local traffic ordinance based on photographic traffic light monitoring systems. If this bill passes, citizens will be able to appeal convictions to the Circuit Court which could create an impact on their dockets.

PROCUREMENT HB 1504 – The House defeated legislation that would have prohibited local governments from receiving any information from price in the procurement of professional services, i.e., legal, accounting, pharmacy, land surveying, engineering et cetera.

REDISTRICTING – Several bills are being considered by both chambers. SB 840 is the one that local governments have been asked to support. Equal population, racial and ethnic fairness, contiguity, compactness and communities of interest are all factors that need to be recognized when considering redistricting the political boundary lines. The bill would also put restrictions on the use of political data and election results in determining what new boundaries should be.

TAXES AND FINANCE – There is a bill that has local and fiscal impact that they will continue to work on and monitor closely.

Aid To Locality Reversion – The Senate has restored the full \$30 million that was contemplated as a cut. The cut would translate roughly to a reduction of about \$1.4 million to Norfolk if it goes forward.

GENERAL FUND MID-YEAR BUDGET UPDATE

The City Manager reported as follows on this item:

- FY2014 ended with a \$4 million carry forward.
- 2 million was previously allocated and Council agreed to use remaining \$2 million to offset reductions in State aid.
- The FY2016 budget presently has a \$3 million shortfall.